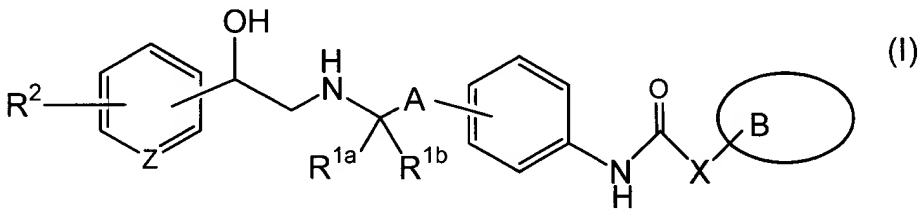
APPENDIX

In accordance with 37 C.F.R. § 1.121, claims 1-7 and 9-13 are set forth below in marked-up form to aid the Examiner in identifying amendments to the claims. Additions are underlined, and deletions are shown with bold square brackets and strikethrough text **[~~like this~~]**. If a discrepancy is found between the version of the claims set forth above and the version set forth below, then the version set forth above controls.

1. (Twice Amended) **[~~An amide derivative represented by the general~~]** A compound of formula (I):



(I)

in the formula, each of the symbols means as follows:

ring B is a heteroaryl group which is unsubstituted or substituted and is optionally fused with a benzene ring;

X is a bond, or a lower alkylene or an alkenylene, both of which are unsubstituted or substituted with hydroxy or a lower alkyl group, or X is a carbonyl or a group represented by -NH-, and when X is a lower alkylene which is substituted with a lower alkyl group, a carbon atom of the ring B optionally bonds with the lower alkyl group so that a ring is formed;

A is a lower alkylene or a group represented by -lower alkylene-O-;

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R^{1a}, R^{1b} are the same or different and each is a hydrogen atom or a lower alkyl group;

R^2 is a hydrogen atom or a halogen atom; and

Z is **[**~~a nitrogen atom or~~**]** a group represented by =CH-;

or a salt thereof.

2. (Once Amended) The **[**~~amide derivative~~**]** compound of formula (I) or the salt thereof according to claim 1, wherein A is methylene, ethylene, or a group represented by $-CH_2O-$.

3. (Twice Amended) The **[**~~amide derivative~~**]** compound of formula (I) or the salt thereof according to claim 2, wherein the ring B is a heteroaryl group which is substituted with a substituent chosen from a halogen atom, lower alkyl, lower alkenyl, lower alkynyl, hydroxy, sulfanyl, halogeno lower alkyl, lower alkyl-O-, lower alkyl-S-, lower alkyl-O-CO-, carboxy, sulfonyl, sulfinyl, lower alkyl-SO-, lower alkyl-SO_2-, lower alkyl-CO-, lower alkyl-CO-O-, carbamoyl, lower alkyl-NH-CO-, di-lower alkyl-N-CO-, nitro, cyano, amino, lower alkyl-NH-, di-lower alkyl-N-, aryl-lower alkyl, halogeno aryl-lower alkyl, guanidino, lower alkyl-CO-NH, and lower alkyl-SO_2-NH-.

4. (Once Amended) The **[**~~amide derivative~~**]** compound of formula (I) or the salt thereof according to claim 3, wherein R^2, R^{1a} and R^{1b} are each a hydrogen atom, and Z is =CH-.

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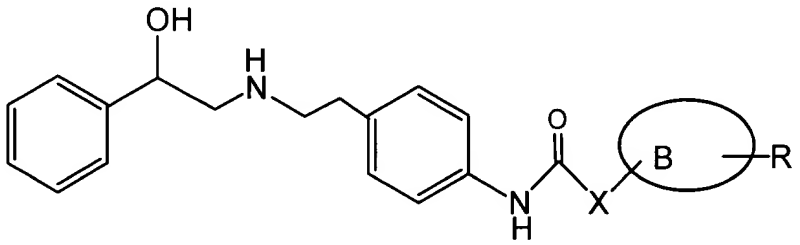
5. (Twice Amended) ~~[An amide derivative represented by the general]~~ A compound of formula (Ia):



(Ia)

in the formula, each of the symbols means as follows:

ring B is a heteroaryl group;

X is a bond or a lower alkylene group;

R is a hydrogen atom, a halogen atom, a lower alkyl group, amino group, an aryl lower alkyl group, or a halogeno aryl-lower alkyl group;

or a salt thereof.

6. (Once Amended) A compound:

(R)-4'-[2-[(2-Hydroxy-2-phenylethyl)amino]ethyl]-2-pyridinecarboxyanilide,

(R)-2-[1-(4-chlorobenzyl)-1H-imidazol-2-yl)-4'-[2-[(2-hydroxy-2-phenylethyl)amino]ethyl]-acetanilide, (R)-2-[1-(3,4-dichlorobenzyl)-1H-tetrazol-5-yl]- 4'-[2-[(2-hydroxy -2-phenylethyl)amino]ethyl]acetanilide,

(R)-2-(2-aminothiazol-4-yl)-4'-[2-(2-hydroxy-2-phenylethyl)amino]ethyl]acetanilide,

(R)-2-(2-benzyl-1H-1,2,4-triazol-3-yl)-4'-[2-[(2-hydroxy-2-phenylethyl)-amino] ethyl]acetanilide,

(R)-2-(2-aminopyridin-6-yl)-4'-[2-[(2-hydroxy-2-phenylethyl)amino]ethyl)acetanilide, (R)-

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4'-[2-[(2-hydroxy-2-phenylethyl)amino]ethyl]-2-(2-pyridyl)acetanilide, (R)-4'-[2-[(2-hydroxy-2-phenylethyl)-amino]ethyl)-2-(2-pyrazinyl)acetanilide, (R)-4'-[2-[(2-hydroxy-2-phenylethyl)amino]ethyl)-2-(2-pyrimidinyl)-acetanilide, or a salt of any of the foregoing.

7. (Twice Amended) A composition comprising at least one **[**~~amide derivative~~**]** compound of formula (I) or the salt thereof as claimed in one of claims 1 through **[**~~6~~**]** 4 in a pharmaceutically acceptable carrier.

9. (Once Amended) The composition as claimed in claim 7, wherein the **[**~~amount of~~**]** at least one **[**~~amide derivative~~**]** compound of formula (I) or the salt thereof is present in an amount effective for the treating of diabetes mellitus in a human or animal patient in need of such treating.

10. (Once Amended) The **[**~~amide derivative of general~~**]** compound of formula (I) as claimed in claim 1, wherein the **[**~~amide derivative~~**]** compound of formula (I) is an optical isomer, a hydrate, or a solvate of the **[**~~amide derivative~~**]** compound of formula (I).

11. (Once Amended) A composition comprising **[**~~an amide derivative of general~~**]** a compound of formula (I) as claimed in claim 1 in a pharmaceutically acceptable carrier, wherein the **[**~~amide derivative~~**]** compound of formula (I) is present as a polymorphic substance.

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12. (Once Amended) A method for treating diabetes mellitus in a human or animal patient in need of such treatment comprising administering to the patient an amount of [~~an amide derivative of general~~] a compound of formula (I) as claimed in claim 1, wherein the amount is an amount effective for such treatment.

13. (Once Amended) A method for treating obesity in a human or animal patient in need of such treatment comprising administering to the patient an amount of [~~an amide derivative of general~~] a compound of formula (I) as claimed in claim 1, wherein the amount is an amount effective for such treatment.

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